

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, ) No. CR-08-178-LRS-5  
Plaintiff, ) ORDER GRANTING MOTION AND  
v. ) SETTING CONDITIONS  
NATALIE J. NIVENS, ) OF RELEASE  
Defendant. ) ☒ Motion Granted  
(Ct. Rec. 190)  
☒ Status Hearing Set:  
6/10/09, 10:00 a.m.  
☐ Action Required

Date of Motion hearing: May 20, 2009.

**IT IS ORDERED** that the release of the Defendant is subject to the following:

**STANDARD CONDITIONS OF RELEASE**

(1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement.

(2) Defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.

(3) Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

(4) Defendant shall sign and complete A.O. 199C before being released and shall reside at the address furnished.

(5) Defendant shall not possess a firearm, destructive device or other dangerous weapon.

1 (6) Defendant shall report to the United States Probation Office  
2 before or immediately after release and shall report as often as  
3 they direct, at such times and in such manner as they direct.

4  
5 (7) Defendant shall contact defense counsel at least once a week.

6 (8) Defendant is further advised, pursuant to 18 U.S.C. § 922(n),  
7 it is unlawful for any person who is under indictment for a crime  
8 punishable by imprisonment for a term exceeding one year, to  
9 possess, ship or transport in interstate or foreign commerce any  
firearm or ammunition or receive any firearm or ammunition which has  
been shipped or transported in interstate or foreign commerce.

10 **BOND**

11 (9) Defendant shall:

12 ☒ Execute an unsecured appearance bond in the amount of TEN  
13 THOUSAND and NO/100 DOLLARS (\$10,000.00) in the event of a failure  
14 to appear as required or to surrender as directed for service of any  
15 sentence imposed.

16 ☐ Execute an unsecured appearance bond, to be co-signed by  
17 \_\_\_\_\_, in the amount of  
18 \_\_\_\_\_ dollars  
19 (\$\_\_\_\_\_) in the event of a failure to appear as required or  
20 to surrender as directed for service of any sentence imposed.

21 ☐ Execute: ☐ \$\_\_\_\_\_ corporate surety bond

22 ☐ \$\_\_\_\_\_ property bond

23 ☐ \$\_\_\_\_\_ cash bond

24 ☐ \$\_\_\_\_\_ percentage bond, with  
25 \$\_\_\_\_\_ paid in cash  
26

27 **ADDITIONAL CONDITIONS OF RELEASE**

28 Upon finding that release by one of the above methods will not by

1 itself reasonably assure the appearance of the Defendant and the  
2 safety of other persons and the community,

3 **IT IS FURTHER ORDERED** that the release of the Defendant is subject  
4 to the following additional conditions:

5 ☐ (10) The Defendant is placed with:

6 \_\_\_\_\_  
Name of person or organization

7 \_\_\_\_\_  
8 Address

9 \_\_\_\_\_  
10 City and State Tele. Number

11 \_\_\_\_\_  
Signature Date

12 who agrees to sign a copy of this Order, **to be kept in Pretrial**  
13 **Services' file**; supervise the Defendant consistent with all the  
14 conditions of release; use every effort to assure the appearance of  
15 the Defendant at all scheduled court proceedings; and notify the  
16 court immediately in the event the Defendant violates any conditions  
17 of release or disappears.

18 ☐ (11) Maintain or actively seek lawful employment.

19 ☐ (12) Maintain or commence an education program.

20 ☐ (13) Surrender any passport to Pretrial Services and does not  
21 apply for a new passport.

22 ☒ (14) Defendant shall remain in the:

23 ☒ Eastern District of Washington or ☐ State of Washington

24 while the case is pending. On a showing of necessity, Defendant may  
25 obtain prior written permission to leave this area from the United  
26 States Probation Office, *after prior notice to the United States*

27 ☐ Exceptions:  
28 \_\_\_\_\_

☐ (15) Avoid all contact, direct or indirect, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to:

☒ (16) Avoid all contact, direct or indirect, with:

☒ Known felons

☒ Co-Defendant(s)

*(except as unavoidable during group counseling sessions while undergoing chem. dep. treatment)*

☐ (17) Undergo medical or psychiatric treatment and/or remain in an institution as follows:

☒ (18) Refrain from: ☒ any ☐ excessive use of alcohol

☒ (19) There shall be no alcohol in the home where Defendant resides.

☒ (20) There shall be no firearms in the home where Defendant resides.

☒ (21) Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

☐ (22) Except for employment purposes, Defendant shall not have access to the internet, including cell phones with internet access.

☐ (23) Defendant may not be in the presence of minors, unless a responsible, knowledgeable adult is present at all times.

#### SUBSTANCE ABUSE EVALUATION AND TREATMENT

If Defendant is required to submit to a substance abuse evaluation, inpatient or outpatient treatment, the following shall apply:

Defendant shall complete treatment indicated by an evaluation or recommended by Pretrial Services and shall comply with all rules of a treatment program. Defendant shall be responsible for the cost of



1 testing, evaluation and treatment, unless the United States  
 2 Probation Office should determine otherwise. The United States  
 3 Probation Office shall also determine the time and place of testing  
 4 and evaluation and the scope of treatment. If Defendant fails in  
 5 any way to comply or cooperate with the requirements and rules of a  
 6 treatment program, Pretrial Services shall notify the court and the  
 7 U.S. Marshal, who will be directed to immediately arrest the  
 8 Defendant.

9 Defendant shall participate in one or more of the following  
 10 treatment programs:

11 ☐ (24) **Substance Abuse Evaluation:** Defendant shall undergo a  
 12 substance abuse evaluation:

13 ☐ if directed by a U.S. Probation Officer.

14 ☐ as directed by a U.S. Probation Officer.

15 ☐ Prior to release, Defendant must have an appointment for a  
 16 substance abuse evaluation, and the appointment must be  
 17 confirmed to the court by Pretrial Services. Defendant will  
 18 be released:

19 ☐ one day prior to, or ☐ on the morning of his appointment.

20 ☒ (25) **Inpatient Treatment:** Defendant shall participate in an  
 21 intensive inpatient treatment program.

22 ☐ Prior to release, an available bed and date of entry must be  
 23 confirmed by Pretrial Services.

24 ☒ Defendant will be released to an agent of the inpatient  
 25 program on May 22, 2009.

26 ☒ Prior to release from inpatient treatment, an outpatient  
 27 treatment program must be presented to the court.

28 Accordingly, a status hearing is set for June 10, 1009, at  
 10:00 a.m., before the undersigned. If Defendant does not  
 have a structured outpatient treatment program in place prior  
 to the status hearing, Defendant automatically will go back  
 into the custody of the U.S. Marshal following inpatient

1        **treatment.**

2        ☒ Following inpatient treatment, Defendant shall participate in  
3        an aftercare program.

4        ☐ **(26) Outpatient Treatment:** Defendant shall participate in  
5        intensive outpatient treatment.

6        ☐ Prior to release, an appointment for Defendant's first  
7        counseling session must be made and confirmed by Pretrial  
8        Services. Defendant will be released:

9        ☐ one day prior to, or    ☐ on the morning of his appointment

10       ☐ **(27) Other:** \_\_\_\_\_

11       \_\_\_\_\_

12       \_\_\_\_\_

13       \_\_\_\_\_

14       ☒ **(28) Prohibited Substance Testing:** If random urinalysis testing  
15       is not done through a treatment program, random urinalysis testing  
16       shall be conducted through Pretrial Services, and shall not exceed  
17       six (6) times per month. Defendant shall submit to any method of  
18       testing required by the Pretrial Service Office for determining  
19       whether the Defendant is using a prohibited substance. Such methods  
20       may be used with random frequency and include urine testing, the  
21       wearing of a sweat patch, a remote alcohol testing system, and/or  
22       any form of prohibited substance screening or testing. Defendant  
23       shall refrain from obstructing or attempting to obstruct or tamper,  
24       in any fashion, with the efficiency and accuracy of prohibited  
25       substance testing. Full mutual releases shall be executed to permit  
26       communication between the court, Pretrial Services, and the  
27       treatment vendor. Treatment shall not interfere with Defendant's  
28       court appearances.



## HOME CONFINEMENT/ELECTRONIC/GPS MONITORING

☐ (29) Defendant shall participate in one or more of the following home confinement program(s):

☐ **Electronic Monitoring.** The Defendant shall participate in a program of electronically monitored home confinement. The Defendant shall wear, at all times, an electronic monitoring device under the supervision of U.S. Probation. In the event the Defendant does not respond to electronic monitoring or cannot be found, the U.S. Probation Office shall forthwith notify the United States Marshals' Service, who shall immediately find, arrest and detain the Defendant. The Defendant shall pay all or part of the cost of the program based upon ability to pay as determined by the U.S. Probation Office.

☐ **GPS Monitoring.** The Defendant shall participate in a program of GPS confinement. The Defendant shall wear, at all times, a GPS device under the supervision of U.S. Probation. In the event the Defendant does not respond to GPS monitoring or cannot be found, the U.S. Probation Office shall forthwith notify the United States Marshals' Service, who shall immediately find, arrest and detain the Defendant. The Defendant shall pay all or part of the cost of the program based up ability to pay as determined by the U.S. Probation Office.

☐ **Curfew.** Defendant shall be restricted to his/her residence:

☐ every day from \_\_\_\_\_ to \_\_\_\_\_

☐ as directed by the Pretrial Services Office

☒ **Home detention.** Defendant shall be restricted to his/her residence at all times except for: attorney visits; court appearances; case-related matters; court-ordered obligations; or

1 other activities as pre-approved by the Pretrial Services Office  
2 or supervising officer, as well as:

3 ☐ employment ☐ education ☒ religious services *during afternoon*  
4 ☒ medical, substance abuse, or mental health treatment *to be discussed 6-10-2009 at status conf.*

5 ☐ Maintain residence at a halfway house or community corrections  
6 center, as deemed necessary by the Pretrial Services Office or  
7 supervising officer.

8 DATED May 20, 2009.

9   
10 \_\_\_\_\_  
11 CYNTHIA IMBROGNO  
12 UNITED STATES MAGISTRATE JUDGE  
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